

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

HENRY MICHAEL GAVIN,)	
)	
Plaintiff,)	
)	
vs.)	No. 05-3190-CV-S-FJG
)	
DIXIE STAMPEDE, L.L.C.)	
d/b/a Dolly Parton Dixie Stampede)	
Dinner and Show,)	
)	
Defendant.)	

ORDER

Currently pending before the Court is plaintiff's Motion to Remand (Doc. No. 6). Plaintiff seeks to remand the case because the pending action alleges retaliatory discharge in violation of Missouri Worker's Compensation Law and therefore is non-removable under 28 U.S.C. § 1445(c). See Humphrey v. Sequentia, Inc., 58 F.3d 1238, 1244 (8th Cir. 1995). Defendant has filed a response stating that it has no opposition to the Motion to Remand. Therefore, for good cause shown, plaintiff's Motion to Remand (Doc. No. 6) is hereby **GRANTED**. This case is **REMANDED** to the Circuit Court of Taney County, Missouri. The Clerk of the Court is directed to mail a certified copy of this Order to the Clerk of the Circuit Court of Taney County, Missouri as required by 28 U.S.C. § 1447(c).

IT IS SO ORDERED.

Date: May 17, 2005
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
United States District Judge